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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

GARY PIERCE – Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

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AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF:

THOMAS LAURENCE HAMPTON,
CRD #2470192, and STEPHANIE YAGER,
husband and wife;

TIMOTHY D. MORAN, CRD #2326078,
and PATRICIA MORAN, husband and wife;

PATRICK MORAN, CRD #1496354, and
KELLY MORAN, husband and wife; and

HAMPTON CAPITAL MARKETS, LLC,
an Arizona limited liability company,

RESPONDENTS.

DOCKET NO. S-20823A-11-0407

Arizona Corporation Commission

DOCKETED

JUL 09 2012

DOCKETED BY

SIXTH
PROCEDURAL ORDER
(Vacates Status Conference
and Leave to Amend)

BY THE COMMISSION:

On November 10, 2011, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed a Temporary Order to Cease and Desist (“T.O.”) and a Notice of Opportunity for Hearing (“Notice”) against Thomas Laurence Hampton and Jane Doe Hampton, husband and wife, and Hampton Capital Markets, L.L.C. (“HCM”), an Arizona limited liability company, (collectively “Respondents”) in which the Division alleged multiple violations of the Arizona Securities Act (“Act”) in connection with the offer and sale of securities in the form of stock or investment contracts.

The spouse (“Respondent Spouse”) of Respondent Thomas Hampton is joined in the action pursuant to A.R.S. § 44-2031(C) solely for the purpose of determining the liability of the marital community.

The Respondents were duly served with copies of the T.O and Notice.

On November 30, 2011, a request for hearing was filed on behalf of the Respondents.

On December 6, 2011, by Procedural Order, a pre-hearing conference was scheduled on

1 January 5, 2012. Subsequently, the Division filed a Motion to File Amended T.O. and Notice in
2 order to state the correct name of Mr. Hampton's spouse.

3 On December 12, 2011, the Division and Respondent filed a Joint Stipulation regarding the
4 Amended T.O. and Notice. Respondents had no objections to the filing of the Amended T.O. and
5 Notice to correct the name of Mr. Hampton's spouse (Stephanie Yager) and the parties stipulated that
6 Respondents' initial request for hearing filed November 30, 2011, would be applicable as to the
7 Amended T.O. and Notice. Additionally, the parties stipulated that Respondents' would have at least
8 30 days to file an Answer from the date of an Order which authorizes the filing of the Amended T.O.
9 and Notice.

10 On December 15, 2011, the Division was granted leave to file an Amended T.O. and Notice
11 as stipulated by the parties.

12 On January 5, 2012, at the pre-hearing conference, the Division and Respondents, Thomas
13 Hampton and HCM appeared through counsel. Counsel for Mr. Hampton and HCM indicated that he
14 did not represent Mr. Hampton's spouse, Stephanie Yager, and that Mr. Hampton's spouse will be
15 represented by separate counsel in the proceeding. The Division and Mr. Hampton and HCM were
16 conducting settlement discussions, but the Division indicated that it intended to further amend the
17 T.O. and Notice. In the interim, the Division requested that a status conference be scheduled in
18 approximately 90 days.

19 On January 6, 2012, by Procedural Order, a status conference was scheduled on April 26, 2012.

20 On February 6, 2012, counsel for Respondents, Thomas Hampton and HCM, filed a Motion to
21 Withdraw as counsel stating that he and his clients had a conflict which rendered his representation
22 "untenable," and that to disclose the reason would violate the attorney client privilege.

23 On February 9, 2012, by Procedural Order, counsel for Respondents, Thomas Hampton and
24 HCM, was granted leave to withdraw.

25 On April 24, 2012, the Division and Respondents filed a Joint Stipulation to Continue the
26 status conference scheduled on April 26, 2012, for at least 60 days because Mr. Hampton was
27 currently traveling outside of Arizona, and because the Division intended to file an Amended T.O.
28 and Notice.

1 On April 25, 2012, by Procedural Order, the status conference was continued to July 10, 2012.

2 On June 27, 2012, the Division filed a Motion to Amend the caption and Notice in the
3 proceeding, and requested that the status conference scheduled on July 10, 2012, be vacated. The
4 Division included a copy of the amended Notice as Exhibit "A".

5 On July 6, 2012, the Division and Respondents, Mr. Hampton and HCM, filed a Joint
6 Stipulation to amend the caption and the Notice in this proceeding and to vacate the status
7 conference. Respondent Stephanie Yager did not sign the Joint Stipulation.

8 Accordingly, leave to amend the caption and the Notice should be granted and the status
9 conference vacated. Further proceedings in this matter will be scheduled after service of the amended
10 Notice and requests for hearing are filed by the additional parties who have been named as
11 Respondents.

12 IT IS THEREFORE ORDERED that leave to amend the caption in the proceeding is hereby
13 granted to what is shown on the amended Notice.

14 IT IS FURTHER ORDERED that leave is hereby granted to the Division to file the amended
15 Notice.

16 IT IS FURTHER ORDERED the **status conference scheduled on July 10, 2012, is hereby**
17 **vacated.**

18 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
19 Communications) applies to this proceeding as the matter is now set for public hearing.

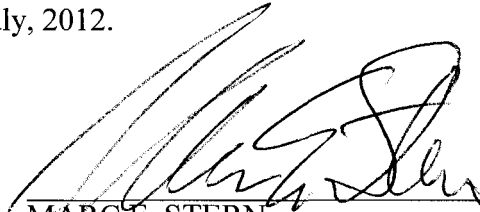
20 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance
21 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
22 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
23 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
24 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
25 Administrative Law Judge or the Commission.

26 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
27 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission
28 *pro hac vice*.

1 IT IS FURTHER ORDERED that Respondent's request for discovery shall be taken under
2 advisement.

3 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
4 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

5 DATED this 9TH day of July, 2012.

6
7
8 
9 MARC E. STERN
ADMINISTRATIVE LAW JUDGE


10 Copies of the foregoing mailed/delivered
11 this 9TH day of July , 2012 to:

12 Thomas Hampton
13 HAMPTON CAPITAL MARKETS, LLC
14 9026 East Calle De Las Brisas
15 Scottsdale, AZ 85255

16 Stephanie Yager
17 9026 East Calle De Las Brisas
18 Scottsdale, AZ 85255

19 Matt Neubert, Director
20 Securities Division
21 ARIZONA CORPORATION COMMISSION
22 1300 West Washington Street
23 Phoenix, AZ 85007

24 ARIZONA REPORTING SERVICE, INC.
25 2200 North Central Avenue, Suite 502
26 Phoenix, AZ 85004-1481

27 By: 
28 Debra Broyles
Secretary to Marc E. Stern